EVIDENCE .- On the trial of an indictment for illicit trafic in venous or apiritous liquors, proof of an agreement to sell is not sufficient; but there must be proof of an actual delivery of the liquors. There need not be proof of payment, because a sale on credit is as much a violation of law as a sale of creekly a figure a violation of law as a sale.

Resolved. That it is the same of this Sentences. for cash .- Riley v. State.

11,793.

1. CORPORATIONS-SERVICE OF PROCESS on.—The service of process on a corpora-tion, other than a railroad or telegraph company, must be on the president or other head of such corporation, or its cashier, treasurer, secretary, &c., or in such other manner as the court may direct. Service on an "agent" is not sufficient as either an actual or a constructive service, because not howing such description of officer or agent as is required by statute to make the def-endant amendable to the jurisdiction of the

2. NEW TRIAL AT LAW-WHEN GRANTED BY COURT OF EQUITY .- A new trial at law will not be granted by a court of Equity where the party applying for it has had a air opportunity for testing his rights, and has failed to do so. But a party against whom judgment by default has been taken apon no sufficient service of process, is entitled to perpetual injunction against such
judgment, and a new trial in the court of
law.—Southern Express Co. vs. Craft.

By Mr. Duncan—An act for the relief of

No. 11,238.

CHANCERY PRACTICE-APPOINTMENT of a RECEIVER.—To justify the appointment of a receiver before the merits of the cause are disclosed—as before answer filed. or pro confessio taken-therefore must be trong, special reasons laid; as where the man. the property; or, in case of a suit to bills: forciose a mortgage, the mortgaged premissare a slender and scanty security, entithing the mortgagee to collect and apthing the mortgage the mortgage to collect and apthing the mortgage to collect and apthin the mortgage to collect and apthin the mortgage to collect and apthin the mortgag morrage and other like cases.
Morrage and Morrage Rents for other purposes.

An act in relation to the Common School -RECEIVER.—A mortgagee is not entitled, after delault, to the rents and income of the Fund of Tishomingo county. mortgaged prentises, nor to a receiver to get them in, unless he contracted for them, r unless the mortgaged property be insufcient to meet the debt 3 APPOINTMENT OF RECEIVER-NOTICE OF Morion.—To give the Chancery Court Ju-risdiction of a motion for appointment of a

the estate, the law allows a period of twelve months from the date of his letters, at the expiration of which legatees and distributes have, prima facie, a right to be put in Sheriff of Leake county.

An act to incorporate the Mutual Security Life Insurance Company of Miss.

An act for the relief of W. H. Wood, Sheriff of Leake county. sion of their interests on executing bonds. And it is the policy of the statute to pass the residue of the estate to legatees and distributees as soon as may

2. SAME.—To maintain his action against the executor for a pecuniary legacy, the legatee need not wait for a settlement of the executor's account. All he need show is that twelve months has elapsed since the grant of the letters, that the assets are ample to pay the legacy. If special reasons exist rendering payment unjust, improper, or prejudicial to others, such reasons must be wn by the executor.

3. SAME-FERI FACIAS ON DECKEE FOR .-A legatec is entitled to have the decree for payment of his legacy, with interest from welve months after the grant of letters, enforced by fiert facids de bonis testatoris, but jail, or both, and for other purposes.

No. 12,222.

1. ATTACHMENT-PARTIES -PRACTICE-A variance between the names, number and identity of the parties plaintiff in attachplaintiff in the declaration filed in the same suit, will be fatal on demurrer, but may be 2. PROFERT-PRACTICE .- In all actions by executors, administrators or guardians, project of the letters gividg the plaintiff the declaration, and the failure to do so will be fatal on demurrer; but may be cur-

ed by amendment .- Ligon vs. Bishop. No. 11,801.

EMPT PROPERTY-ACT OF 1857 .- Under the Act of 1857, (Rev. Cod., p. 469, Art. 172) a widow, though owing separate property equal to what would be her portion of her husband's estate, was still entitled to all and for other purposes. that part of her husband's personal property that was exempt from execution or atment.-lb., p. 528, Art. 280. 2. SAME-ACT OF 1860 .- By the Act of dren of deceased were made joint partici-pants with the widow in his benefit. 3. SAME-ACT OF 1865. -By the Act of empted property, real an personal; not, however, for her own exclusive benefit, but and use are joint and common, to the widow and children, so long as she continues a widow; but on her marriage or death, the property descends to the deceased husband's

4. Case at Bar.—Where the property so exempt has been converted into money, and the question is what are the respective interest of the widow and children, the wild. terest of the widow and children, the widow shall have a child's part of the fund, during her life or widowhood; the whole then to go to the children; and the widow, before receiving the money, shall give bend and security to secure the refunding of the money to the heirs, on the termina-tion of her right to it.—Hardin, et al. vs

Attempted Assumation—A Wife Streeted—Two Segrees do the counter of Lindon Street of the purpose.

Attempted Assumation—A Wife Streeted—Two Segrees do the counter of Lindon Street of the English of the Counter of Lindon Street of the English of the Counter of Lindon Street of the English of the Counter of Lindon Street of the English of the Counter of Lindon Street of the English of the Counter of Lindon Street of the English of the English of the Counter of Lindon Street of the English of the Counter of Lindon Street of the English of the E and thus two murders have been perpe- or at any time thereafter." trated. The story will be bruited over the country from Memphis, and Memphis will be credited with another bloody

Mrs. Simmons has been arrested and tonsigned to prison. Why she is suspected of complicity in this horrible affair we are not informed further than above statd. The fact that she induced her husand to go out at midnight to inquire the was at the door, is the ouly incident of which we have heard calculated to faslen suspicion on ger conduct. Of her lades of life and of her ordinary conduct we are not advised. She has been rested and consigned to prison-walls at Hernando. The two negro murderer have not been captured, and it is though they are now in this city. It would be well for the police to obtain description of the asset of the police to obtain description. ins, and make Sodom too hot

AY CLABION

VOL., XXXIV-NO. 11.

THE LEGISLATURE. THIRTY-FIFTH DAY. SENATE.

TURSDAY, February 14, 1871. The following resolution was adopted: Whereas, Members of this body are exer-cising and discharging the function and duthe State of Mississippi: therefore,
Resolved, That it is the sense of this Senate that said members who now hold and
exercise the duties and functions of any other State, county or municipal office in this State, should resign the same within ten days after the adoption of this resolu-

NOTICE OF INTRODUCTION OF BILLS. By Mr. Watts-A bill to be entitled an act o prevent Railroad Companies from run-

this State on Sundays, and for other purpo-By Mr. Stringer—A bill to provide for the prosecution of offenders in other counties than those in which the offences are

INTRODUCION OF BILLS. By Mr. Bennett-To be entitled an act to

repeal all laws in this State in relation to licensing hotels, inns and taverns. An act for he relief of the assessor of

the County Treasurer of Yalobusha county. BILLS PASSED.

An act to change the time of holding Court in the 5th Judicial District. An act for the relief of James H. Bowdefendant has withdrawn himself from the drisdiction of the Court to avoid service of the several counties of this State.

The Governor approved the following An act to prohibit the sale of vinous and

HOUSE.

BILLS PASSED.

An act to prevent a monopoly of offices receiver, it is indispensable that notice of such motion shall be served on the parties to be affected thereby.—Revised Code, page

An act to encourage the cultivation of article 74. Whitehead, executor, etc., Grape and the Manufacture of wine from 1. Legacies—When Payable.—To enable an executor or administrator to get in the assets of his decedent, to pay creditors, and fully inform himself of the condition of the estate the law allow.

THIRTY-SIXTH DAY.

SENATE.

WEDNESDAY, Feb. 15, 1871. NOTICE OF INTRODUCTION OF BILLS

act to create a new Judical District, adding Rankin to Hinds, having Warren one Dis-By Mr. Sullivan-A bill to anthorize the

employment, as laborers, of criminals un-der sentence of fine, or imprisonment in not against the lands.—Elliot v. Bishop, Ex'r &c,

By Mr. Duncan—An act for the relief of Green D. Moore, a citizen of Yalobusha county.

INTRODUCTION OF BILLS.

By Mr. Gibbs-An act to extend the time for the collection of taxes, and to regulate ment papers, and those named as parties the per centum on State and county taxes, and for other purposes.

By Mr. Little—To authorize the promise of debs due the Chickasaws of Mon-

roe county, Miss.

By Mr. Gleed-An set to authorize the Mobile and Ohio R. R. Co. to purchase the Railroad constructed by the Mississippi Gainsville and Tuscaloosa Railrod Company.

By Mr. Mygatt—An act to incorporate the
People's Bank of Vicksburg. By Mr. Watts-An act to prevent Railroad Companies from running passenger, freight or lumber cars on Sunday, and for

1. WIPOWS' RIGHTS TO HUSBANDS' Ex-By Mr. Paine-An act making an appro priation to defray expenses incurred by the Sergeant-at-Arms of the Senate, in funishing the Senate Chamber committee rooms,

An act to remove the civil disabilities of Jno. McGee, a minor of Oktibbeha county. An act to amend an act to incorporate the Savings Bank of Meridian.

By Mr. Stricklin-Resolved, That a Com-1865 (Pamphlet Acts, p. 138, § 3), the widow is made life tenant of all her husband's exthousand dollars due the Chickasaw Schoo Fund by the Mobile and Ohio Railroad "for the use and benefit of berself and children;" and this life interest of the widow is subject to be divested by the widow's marriage. Under this Act the benefit with, and that they report at an early day.

HOUSE.

corporate the Harrison Harbor Company.

THIRTY-SEVENTH DAY.

SENATE. THURSDAY, Feb. 11th, 1871

poor woman most savagely, Her head was beaten into a shapeless mass, and she and Simmons were both thought by their assailants to be lifeless. Both may die

An Act to create a new county to be called a and the appointment H

The Governor approved the following THIRTY-EIGHTH DAY. An act for the relief of Tax Ass SENATE.

FRIDAY, Feb. 17, 1871. INTRODUCTION OF BILLS. By Finance Committee: An act to ame an act to raise revenue to defray expenses incurred by this State, and for other pur-

By Mr. Pierce, An act supplemental to an act to incorporate the town of Sardis, in Pa-By Mr. Stringer, An act to incorporate the Mississippi Steamwoat-building and Repairing Association.

By Mr. Gray, An act to incorporate the King Solomon Baptist Church, of Vicksburg, Miss.

By Mr. Watts, An Act to amend the 16th are as follows:

By Mr. Watts, An Act to amend the 16th are as follows:

article of the 4th section of the Revised. Code in relation to the trial of habeas cor-By Mr. Stone. An act to incorporate the American Gold Life Insurance Company.
By Mr. Sullivan, An act for the relief of Mrs. Caroline Barnes, of Oktibbeha county.
By Mr. Gray, An act to incorporate the Vicksburg Benevolent Association of Vicks-says:
shall bears. An act for the Benefit of Stephen E. Nash. burg, Miss.

and Tuscaloosa Railroad Company. HOUSE.

INTRODUCTION OF BILLS.

An act to authorize the Mobile and Ohio

Railroad Company to purchase the railroad constructed by the Mississippi, Gainsville

An act to provide for the removal of the Court House of Copiah county from the town of Gailatin to the town of Hazlehurst and for other purposes.

An act to amend the charter of the city of

By Mr. Roane, of Calhoun, An act to change the name of Mrs. Jance Spencer, a resident of Calhoun county, to Jane Smith.
Mr. Langford introduced An act for the relief of D. A: Cohea, Sheriff and Tax Col-

Mr. Landrum, An act for the benefit of Orphans' Asylum in the State of Mississippl.

Mr. Quinn, An act to provide for the pre-

paration of township maps for the use and reference of officers and citizens of the several counties of this State. Mr. Lynch, A Joint Resolution for the relief of Wm. H. Smallwood. Mr. Lucas introduced An act to incorpor-ate the town of Newport, in the county of

Mr. Piles, A Joint Resolution making provisions for the pay of the Joint Standing Committee on Public Buildings, BILLS PASSED. An act for the relief of William Foster.

An act to incorporate the Jackson Benev-olent Society, of Jackson. An act for the relief of tax assessors An act to incorporate the town of Hillsbaro', in Scott county.

An act to amend the charters of Durant,

Goodman and Lexington, in Hotmes coun-

An act to change the name of Brownlee to that of Hodges, and to create heirs at An act to authorize Thos. C. Rogers, of Noxubee county, to adopt Mariet Reed Spiers, and for other purposes.

An act to authorize M. D. Patton and L. S. Patton, his wife, residents of Grenada county, to adopt Texana Alberta Simmons, an orphan, as their legitimate child. An act to change the name of Mrs. E. H

THIRTY-NINTH DAY.

Dunn, of Prentiss county, to Mrs. E. H. Belsher, and for other purposes.

SENATE.

SATURDAY, Feb. 18, 1871. NOTICE OF THE INTRODUCTION OF BILLS.

Mr. Abbott gives notice that he will on to-morrow, or some future day, introduce a bill for the regulation of the speed of rail-Mr. Seal gives notice that he will on tomorrow, or some future day, ask leave to introduce a bill entitled an act to encourage

the culture of grapes and the manufacture of native wines in this State. INTRODUCTION OF BILLS.

870, and to incorporate the town of New

Making appropriations to defray expense incurred by Sergeant-at-arms in furnishing Senate Chamber Committee Rooms, etc.
To change the time for holding Circuit
Court in the 4th Judicial District, &c. An act to appropriate new apartments for the various officers therein named, and for other purposes.

The Governor approves the following

Carroll county.

Also, Senate Joint Resolution granting leave of absence to the Hen. J. F. Simmons. An act to incorporate the Planters and Merchants Bank of West Point, Miss.

HOUSE.

INTRODUCTION OF BILLS.

An act to amend an act to incorporate the town of Forest, in the county of Scott.

By Mr. Currie—An act for the relief of Julius F. McLawrin, of Smith county

By Mr. Johnson—An act to incorporate the Warren county Agricultural Society.

Mr. Johnson presented the petition of citizens of Warren county, relative to the stock

By Mr. French—An act to incorporate the Mississippi Valley and Vicksburg Loan Company, of Vicksburg, Miss. By Mr. Holland—An act for the relief of

MILLS PASSED.

a joint resolution for the reilef of Mrs. W. B. Owings, widow of the late Hon. W. B. Owings, and an to incorporate the Vicks-burg Pioueer Manufacturing Company. For all the foregoing reasons I submit hat, to suppose the power of the Governor pursuance of an act of the Legislature to

JACKSON, MISSISSIPPI, THURSDAY, FEBRUARY 24, 1871.

Special Message of the Governo in Relation to Office-holders.

GENTLEMEN—Herewith I return to the House in which it originated Senate Bill No. 15, entitled "an Act to repeal certain portions of an Act entitled an Act to pro-

takes to repeal may be supposed, on a surface view of the question, to be in conflict with the Constitution. As this supposition may have entered into the reasons calling for the proposed repeal, I shall take leave to show here that the supposition is a violation of fundamental principle and settled practice. Article 6, Section 11, of the Constitution says: "The Judges of the Circuit Court shall be appointed by the Governor with the advice and consent of the Senate and shall hold their offices for the term of six

Article VI, Section III, declares that "the Article VI, Section III, declares that "the term of office of the Judges of the Supreme Court shall be nine years." Is the six year term in the first of these cases, or the nine years term in the latter, fixed in reference to the office-holder absolutely?

Section 29 of the Bill of rights, a bill of rights not of office-holders, but of the people, says: "No person shall ever be elected or appointed to any office in this State for life.

appointed to any office in this State for life or during good behavior, but the term of all offices shall be for some specified period."— And thus do we understand the term fixed for public office in the Constitution to be, not a guarantee in the interest of the officer, but a limitation in the interest of the people.— While that limitation is absolute in reference to the rights it is designed to protect, it may be shown by the very text of the Constitution, not to speak of the expediency of things which enter into the construction of that text, to apply, in reference to the rights of the office-holders, conditionally.

The conditional application of the term of office in reference to the officer, is seen where Article VI, Section V, of the Constitution, provides, in the case of the Supreme Court, for the filling of vacancies occasion-Court, for the filling of vacancies occasioned by "death, resignation or removal."—
That the term of office applies to the officer conditionally may be seen again where Article IV, Sections 28 and 30, makes all civil officers, Judges included, liable under trial, by impeachment, to removal from office.—
That the tenure of office is not only limited in the interests of the people, but that it is subject even during the period of that limitation, to conditions in the interests of the people is still seen more broadly where people, is still seen more broadly where Article IV, Section 31 of the Constitution provides that "For reasonable cause which shall not be sufficient ground for imp ach-ment, the Governor shall, on the joint address of two-thirds of each branch of the Legislature, remove from office the Judges of the Supreme and inferior Courts." And this condition of the tenure of office is made to apply, be it remembered, to the case of officers of State who stand before the Gov-ernor and the Legislature covered with the Constitutional independence of a distinct ch of the Government.

Pass from those high officers of State who are protected by the special independence of a co-ordinate branch of the Government to the class of officers, who, the direct subordinates of the Executive, are the subject of the Act in question, the legal view of the subject in that case is as follows: Article VI. Section 19 of the Constitution, says: "And the Clerk of the Circuit Court

and the Clerk of the Chancery Court shall be elected by the qualified voters of the several Counties and shall hold their office for the term of four years." Article VI, Section 20, declares that "the qualified voters of each County shall elect five persons by districts, for the term of two years who shall constitute Boards of Supervisors for each County." But Article VI, Section 26, shows that neither the four years term in the one case, nor the two years term in the other, are put otherwise than provisionally when it says:— "Clerks, Sheriffs and other County officers for willful neglect of duty or misdemeanor in office, shall be liable to presentment or indictment by the grand-jury and trial by the petit-jury, and upon conviction shall by the petit-jury, and upon conviction shall be removed from office." To cite the term of office fixed in the Constitution by way of limitation in the interests of the people, against the principle of removal from office in the same interests, is shown by the next toregoing provisions to be what logicians call arguing in a circle, to be, in fact, citing the Constitution against itself.

By Mr. Hardy, An act to repeal an act to the theorem of New Albany, in the county of Pontotoe, approved March Sht. Albany, in the county of Winona.

By Mr. Stringer, An act to provide for the prosecution of offenses in other counties than the one in which the offense is committed.

Article v. section 21 says.

A sticle v. section 21 says.

A sticle v. section 21 says.

A sticle v. section 21 says.

Oner, treasurer, assessor, and surveyor, shall be elected in each county, by the qualified voters thereof, who shall hold their offices for two years, unless sooner romoved." What Article V. section 21 says: "A sheriff, coris the scope of these general terms: "unless sooner removed?" Article V, section 22, says: "All officers named in this article shall hold their offices during the term for which they were elected, unless removed by impeachment or otherwise." What is the scope of this general term "otherwise?" Three forms of proceeding in removal from office are specified in the Constitution. Is there any reason in the text of that Instrument for supposing that the specification of those three forms excludes all other forms? The Governor approves the following bills:

An act to prevent the sale of vinous and spiritnous liquors in the town of Starkyille Oktibbeha county, State of Mississippi, or within five miles of the corporate limits of said town.

An act to amend an act entitled an act to incorporate the town of Black Hawk, in carroll county.

Also, Senate Joint Resolution granting leave of absence to the Hen. J. F. Simmons.

The right of removal brought within the operation of the essential expediencies of the working of our government in the interests of the people, let it be asked:

If a subordinate officer ought to be removed on the close of proceedings by impeachment, should his wrong-doing be allowed to go on in all cases under the positive knowledge of the Governor until

Mr. Lynch, An act to incorporate the Mississippi Good Will Fire Company, No. 2, of the City of Natchez, Adams county.

Mr. Roane, or Calhoun, An act to change the name of Jessie Alonzo Skelton and for

tion. It is well settled in practice. The old Constitution says, in Article V, Section 19, "A sheriff and one or more coroners, a treasurer, surveyor, and ranger, shall be easurer, surveyor, and ected in each county by t movable, in these words, by

son to suspect that either of said officers to been guilty of embezziement, peculation defalcation, or frund, in his said office, he as been guilty of embezziement, peculation r defalcation, or fraud, in his said office, he hall forthwith suspend said officer from his

in pursuance of an act of the Legislature to make removals of such officers as are embraced in the provisions of the act under review, to be unconstitutional, is a violation of sound principle and settled practice. The principle and the practice pointed out in the foregoing cases apply, be it recollected, to executive officers holding under the solemn sanction of election by the people. In how much greater force then must we hold that principle and practice to apply to such officers holding under the less solemn sanction of individual appointment? The appointing power carries with it as by corollary, the removing power. The principle appointing power carries with it as by corollary, the removing power. The principle in the case of appointments by popular election, cannot be applied directly; but it is applied in the only way practicable in that case by the several forms of proceeding laid down in the Constitution and in the Code in assertion of the right of removal. Under the expediencies of the case, the right of removal incident to the right of appointment by election, is exercised by the people through their agents, the Courts, the Legislature, the Governor. The suffrage of the whole people of the State has conferred the appointing power under special circumstances upon the present Governor; and may be fairly held to have conferred with it the corelative power of removal in an extraordinary degree.

traordinary degree.

To say the Legislature cannot bestow upon the Executive rights over his own appointees, which it can bestow and has bestowed over officers holding, by the higher tenure of popular election is to say what is simply absurd.

The act which the bill before me undertakes to repeal was passed under peculiar circumstances. From two thousand to twenty-five hundred offices were to be filled throughout the State, with the consent of the Senate, by the Governor's appointment.

This vast amount of responsibility confront-ed us at a time when there had been already an interregnum of civil government. Grave questious had been raised at that time as to the power of the municipal officers of the government. The Courts had been disor-ganized; the bench was vacant; the writ of habeas corpus was suspended, for the reason that there was no Judge in the State to grant it. Immediate action in appointments to office was demanded in order to obtain even legal service of process. Work, which if executed with proper care, would have consumed the labor of a whole year, had, therefore, to be pressed to completion with-in a few weeks. Both the Governor and the Senate felt, under the necessity of the case, constrained to go forward with the duty of setting going the agencies of law and order at the rate of thirty or forty and often times as many as a hundred appointments a day; and consequently without an opportunity of the enquiry and reflection necessary ormust necessarily have followed such un-avoidable haste.

The Act which the Bill before me would

repeal is in the nature of a compact. The appointments that have been made, were dealt with by the Executive and probably that Act. The surrender made of my judgment and conscience to the local representatives, in consideration of the emergency of the moment, would never have been made had I supposed myself when doing so, handing over the people to men who were strangers to me, without any power whatever to put a summary stoppage to any resulting evils. The Senate would, no doubt, have

A large proportion of the men appointed to office were I repeat, utter strangers to me. Without time to ascertain the wishes

Executive Office, Feb. 13, 1871. Another Executive Veto. To the House of Representatives :

J. L. ALCORN, Governor,

GENTLEMEN—Herewith I return to you H. Joint Resolution, No. 9, entitled "a Joint Resolution authorizing the Auditor of Pub-

The Joint Resolution before me represents a large outlay of public money. I recommend, therefore, that it be reconsidered in its true bearing as a part of the whole. With that view I suggest, respectfully, that the subject of the payment of the building committee be dealt with as a whole by the Legislature; the Auditor of Public Accounts be authorized to issue his Warrant immediately for whatever amount shall be found to accrue under that adjustment for the services of the Hon. F. E. Franklin, in favor of his whow.

J. L. ALCORN, Governor.

EXECUTIVE OFFICE, Feb. 15, 1871.

EXECUTIVE OFFICE, Feb. 15, 1871.

The Bond Paying Movement. Senator Duncan has furnished the Vallonian with the following report of the proceedings in this scheme in a more minute and succinct form than we have We have reproduced it for re-

Monday, Feb. 6th. Senator Morgan Intro-laced the following resolution:

Be it Resolved by the Senate, the House concurring, that a committee of two on the part of the Senate, and — on the part of part of the Senate, and — on the part of the House be appointed by the chair, whose daty it shall be to investigate and inquire into the character and condition of the debt of this State commonly known as the "Repudiated Debt of the State of Mississippi."

Be it further Resolved, That it shall be the duty of the said committee, to require all persons holding claims of whatever character, against this State, which shall have become due, and which were remaining uncome due, and which were remaining un-paid on the 1st day of January, A. D. 1869, to have the same audited before the said committee, with the name, address and residence of the holder thereof, whether the holder be a citizen resident of this or any other country now at peace with the United

Be it further Resolved, That all proceed-ings thus had, and all inquiries and investi-gations thus made shall be upon the assumption that the present Government of thi State is not legally liable for debts of this State contracted prior to the close of the

MORGAN. Tabled by the following vote:
Ayes—Messrs. Abbott, Bennett, Duncan,
Gartman, Johnson, Lyles, Millsaps, Morgan,
Rushing, Smith, Stone, Warner, Watts, Wil-Nays-Messrs. Gibbs, Leachman, Packer,

By Mr. Morgan, (Feb. 7) Tuesday : A resolution denying that any moral or legal obligation rests upon the people of the State of Mississippi to pay the repudiated

Be it Resolved by the Senate, the House concurring), That the State of Mississippi by her Representatives in Legislature assembled, solemnly denies that any desire that Miss Cary should sing for him moral or legal obligation rests upon the peo-ple of this State to discharge in any manner or form, in whole or in part, the bonds of the Union and Planters' Bank, commonly known as the "Repudiated Bonds, or Repu-diated Debt of the State of Mississippi."

Tabled by the following vote:
Ayes—Messrs. Abbott, Bennett, Duncan,
Gartman, Johnson, Leachman, Millsaps,
Paine, Rushing, Smith, Stone, Watts, Wil-Nays - Gibbs, Morgan, Packer, Strick-

We voted to lay on the table the resolu-tion of Senator Morgan, declaring "that it is the opinion of this Legislature, that the of the enquiry and reflection necessary ordinarily to a duty so important and responsible. I ask the Legislature earnestly to
consider whether under the circumstances
it be just to the Executive, just to the Senatg, just to the people of the State, to cut
off whatever power remains for the correction of the many errors of selection that
must necessarily have followed such unvorot letting this decision remain where it has thus been placed.

JOS. BENNETT. H. L. DUNCAN, J. M. STONE, . JOHNSON JNO. WATTS.

From the New York World. Race Development.

without any remedy sufficiently rapid to supply timely rightings. By right of the individual responsibility incurred by me, on the faith of the safe-guard placed in my consequence of the storm.

And the faith of the safe-guard placed in my consequence of the storm.

solemn trust, on the representations of the several delegations which constitute your honorable bodies.

Whereas, At a former would condemn the pulpit because it had honorable bodies.

Whereas, At a former would condemn the pulpit because it had board, held upon the 17th day of James at the last meeting of the Society by Cooks, and Kallocks, and Sabines in it.

these have urged me to exercise the power which the Bill before me would repeal, in order to revise the wrongs into which I had been led, by their misapprehensions. I hold now in my hands applications from members of your honorable bodies to still further revise the appointments made by the exercise of my nower of removal. further revise the appointments made by the exercise of my power of removal. I hold action in those cases subject to the final action of the Legislature on the Bill before me.

Winnshoro, S. C., October, 1870.

EDITORS SOUTHERN CULTIVATOR; As I am very successful raising water-brid to perpetuate itself, and the race brid to perpetuate itself, and would melons, I thought I would send my plan.

Winnshoro, S. C., October, 1870.

EDITORS SOUTHERN CULTIVATOR; As I am very successful raising water-brid to perpetuate itself, and would melons, I thought I would send my plan. me.

Even though a majority of the Legislature may continue to think that it can afford to assume before the people, the responsibility of repealing the provision whose very existence on the statute book, as a meace, is a wholesome restraint upon evil-doers in the public service, I feel bound as a duty to my office and myself to wash my hands, as I do in this communication, clean of any such responsibility.

Sound in principle, sustained in practice, and called for by every consideration of public good and political policy, the Act which the Bill before me would repeal cannot be repealed with my consent or apcountry to their shores and made them the rich recipients thereof and of their constitution; the relitical feeders that the recipients thereof and of their not elevate it, for by so doing you cause shall conform to the determination of the relition; the relitical feeders that constitution; the political freedom that them to die out when summer comes; they enjoyed made them the most finished draw your hoe around to form a furrow; race of men on the globe. The Turks, plant half-dozen seed in a hill-soon as Georgians and Circassians, on the other up, thin to two. Continue to hoe them hand, although they have developed some very fine physical qualities, have stopped the vines start to run, side with a plow, there, and mentally were inferior. He first one way, then the other: plow out Resolution authorizing the Auditor of Public accounts to pay the widow of the late F. E. Franklin the per diem due him." I regret to be obliged to return the resolution, because of the following objections, without my approval:

The resolution before me proceeds on the principle that the Building Committee of both Houses is to be paid at the rate of eight dollars per day for every day during

Sleep will do much to cure irritability of temper, pevishness, and uneasiness. It will restore to vigor the over-worked brain; it will relieve the languor and prostration felt by consumptives; it will cure neuralgia; it will cure a broken was or Domestic September 1. spirit; if will cure sorrow. Indeed, we might make a long list of nervous maladies that sleep will cure. The cure of sleeplessness requires a clean, good bed, sufficient exercise to produce weariness,

\$2 00 PER YEAR

An Affecting Scene-Chief Justice Robertson of Kentucky Asks to have "The Old Folks at Home" Sugn to Him on His Death-bed.

From the Lexington (Ky.) Press. On Sunday last, as the venerable Chief brothers-in-law. So we learn from the Co. Justice Robertson, stricken by the hand servative. of death, lay almost insensible to the The Vicksburg Hernid says Johnson, me world which, for so many years, has gro, charged with killing Marr, a white his genus, barely fluttered with the con- \$1000 ball. sciousness of life, he expressed a desire to hear Miss Cary sing the ballad of "Old Folks at Home," as if the strains of his favorite melody would have power to call back his soul from the portals of the back his soul from the back hi grave which he was so fast nearing.

This wish was at once communicated cilities for shipping cotton on the Central to Miss Cary, who willingly consented to Road are not sufficient. Several hundred do anything in her power to rouse the eb. bale: await transportation at that bing current of life in one who, as a statesman or jurist, has known but few rivals during the course of a long and countries of the course of a long and flaw, and instructed their Sanator, Hop. d. M. Stone, to present the resolutions to the of Judge Robertson Miss Cary was at legislature.—Inka Gazette. once ushered into the chamber where so much of intellect and learning was fast flickering out into the darkness of the tion of the citizens and voters of Chira unknown hereafter, and without accom- county, containing near fourteen bounds paniment of any kind raised her rich names, all genuine, has been seet up to t contralto voice in the touching words, Legislature, asking a repeal of the 'Way down upon the Suwance River," but before she had sang three lines, broke down in the intensity of her emo-

Calming herself, she again essayed the from Choctaw, says : Though modes! sallad, and, while the venerable and and unassuming. Is a gentleman stricken man lay drinking her glorious talents and great moral worth, and will remeledly, poured out her whole soul in the simple utterances which gave so much pleasure to one whose giant intellect had, in days agone, fascinated the most talented of the land. When she had ceased, "Home, Sweet Home." Twice did the gifted artiste attempt to comply with the request, but her emotion was too great, and, choked with feeling, she was compelled to leave the room. The whole meident was one of the most touching and affecting episodes that ever marked the deathbed of departing greatness.

From the Galaxy for February.

Instrate, stir, move, thrill, thunder, urge, of Corinth. persuade, and supplicate, at the feet of millions and millions of people every single day, and all day long, and far into nine-tenths of the vineyard, and the says: "You unanointed are coarse clay The New York Genealogical and Bio- erators of the world; go bury yourselves hands in the form of the power of remeval, I object earnestly to the Bill before me, because of its violation of the guarantee which assured my conscience in discharging a solemn trust, on the representations of the solemn trust, on the representation trust. After some routine business the sub- it has "Black Crooks" in it; forgetting Board

But to cease teaching and go back to to office were I repeat, utter strangers to me. Without time to ascertain the wishes of the people of each county as to rival candidates, I had, I repeat, no alternative left me in making the selections but that of placing my conscience and judgment in the hands of the several legislative delegations. Even those delegations themselves were, in many cases, deceived; and in several of these have urged me to exercise the power.

sleep. Of two men or women, otherwise equal, the one who sleeps the best will be the most moral, healthy and efficient.

Sleep will do much to cure irritability of then the jury must find out for themselves. WAGES OF DOMESTIC SERVANTS .-

sufficient exercise to produce weariness, pleasant occupation, good air, and not too warm; a clean stomach, a clear conscience, and avoidance of stimulants and narcotics. For those who are overworked, haggard and nervous, who pass sleepless nights, we commend the adoption of such habits as shall secure aleep; otherwise life will be short, and what there is of it sadly imperfect.

The orphans from the Orphans' Home, and recovery of his employer was entitled to recovery of his employer. The object of all this can be clearly woman fill the offices of accretary and trassection; the total and the can be clearly woman fill the offices of accretary and trassection; the total and the can be clearly woman fill the offices of accretary and trassection; the total and the can be clearly woman fill the offices of accretary and trassection. The object of all this can be clearly woman fill the offices of accretary and trassection. The object of all this can be clearly woman fill the offices of accretary and trassection. The object of all this can be clearly work was entitled to recovery of his employer. The object of all this can be clearly and trassection. The object of all this can be clearly and trassection. The object of all this can be clearly and trassection. The object of all this can be clearly and trassection. The object of all the can be clearly and trassection. The object of all the can be clearly and trassection. The object of all the can be clearly and the can be clearly and the can be clea gave a concert recently at Columbus. They realized \$392 50.

A Marble statue of the late James Guethre of time which he has served since his last rie of Kentucky, made in Italy, is to be set up in Louisville.

THE RESIDENCE OF SALE

Aberdeen rejoices in the possession of a new hearsto.

The Centralian speaks in high terms of the

Magnolia Browery, A young man who worked hand saille are Magnolla on the 3d is after the Court

lan for not mentioning his name. The Bay St. Louis Gazette says the sets.

commission of Hancock county is 4,500.

White voters 978; colored voters 325. A Mr. Higgie killed a Mr. Hinds In C. roll county on the lat linet. They were

throbbed grandly to the inspirations of man, was committed to jail in default The Central Star say Holmes county put

The Oxford Falcon complains that the to

convention, protested against the School

The Meridian Mercury says a la changing the county sits from Quitman

The Coffeeville Times speaking of Hemphilithe newly elected Represent.

been elected. The fuka Gazette saya; "Mr. Lo P. Bgay has been appointed Mayor of Inks. Governor Alcorn could have selected no bester man than Mr. Seay, an houses, upright. Christian gentleman, with brain enough to know his duty, and manliness and courage enough to do it. Mr. A. T. Matthews, anold citizen and a gentleman of fine practical sense, has been appointed to fill the yacancy in the Board of Alderman. M. Bulley, W. A. Paden and Joseph Hunt, are ap-

pointed Justices of the Peace. The Monumental Committee of the The Misssissippi Regiment, held in Grenada ou Mark Twain Contrasts the Pren-chers with the Actors and Writers. other resolutions: "That the several members of this Committee will exert their best The pulpit teaches assemblages of endeavors to have a sum amounting in the people twice a week-nearly two hours, aggregate to \$3,000, deposited in the hank altogether-and does what it can in that with J. & T. Green, Jackson, at the carries time. The theater teaches large audi- practical moment." As soon as that sum is ences seven times a week-twenty-eight subscribed the work on the more ment will or thirty hours altogether; and the novels or newspapers plead, and argue, and il-

From the Natchest Democrat. Adams County Rallroad Bonds.

pulpit tills the other tenth. Yet now Board of Supervisors, yesterday, we copy and then some complacent blind idiot from them the following important parts and useless; you are not as we, the regenthe Natchez and Jackson Railroad Com-"Gen. Wm. T. Martin President of graphical Society held their regular semi-monthly meeting last evening, in the possibility of recommending idlers and Hon. J. W. Alexander, President of evils. The Senate would, no doubt, have refused to give its consent to hundreds of my appointments to office had it supposed itself consenting to very possible wrongs avenue, Dr. Henry R. Stiles, of Brookthrought the pores? Think of this insect of this Board, the following order was as a disseminator of bad morals because presented by Gen. Martin, and unaniimously adoped as the order of this

> ary, A. D. 1871, it was ordered by the Board that the denominations and periods of payment of the bonds of the county of and Directors of the Natches and Jack son Railroad Company, in aid of said by the President of this Board and the President of said railroad company, and the said Presidents having fixed and determined the said denominations and periods of payment as follows, to-wit :-One hundred thousand dollars in one

> CONGO-CARPET-BAG BULLE IN SOUTH CAROLINA.

CARNIVAL OF AMALGAMATION.

REANTIAL ORGINS

Johnathan and Blank - Samle

and the Imported Sinterhood

In Loving Council.

priate constitution were adopted. At a subsequent meeting Governor Scot.